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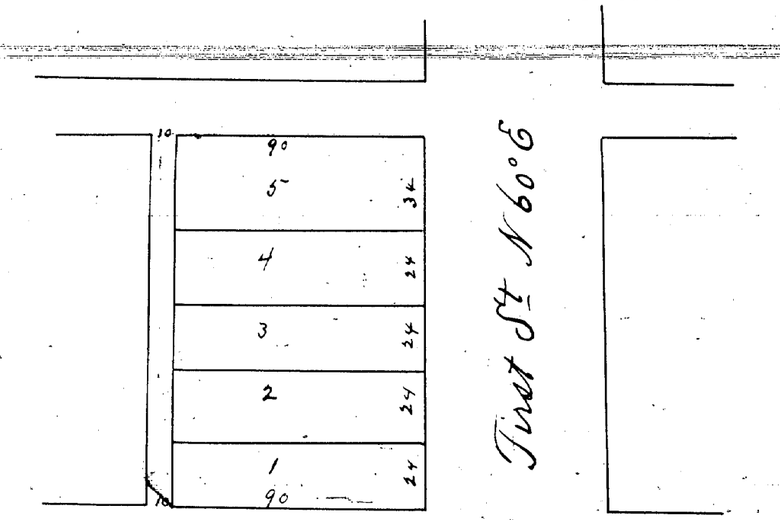
10715

Ingersoll's Subdivision

Lots 11 & 12 Block 37 Cass Farm

Detroit



Rec'd for Record This 2nd day of April 1855 at 30 o'clock P.M. N. K. Noreland Regr.

State of Michigan } ss. On this thirty first day of March
Wayne County } A.D. 1855 personally came before me Walter Ingersoll
Known to me to be the proprietor of Lots Eleven
(11) and twelve (12) Block thirty-seven (37) of the
Cass farm and acknowledged the within and
foregoing plat of the subdivision thereof as his free
act and deed. Given under my hand and seal

Ezra Rood (seal)
Notary Public Wayne County
Michigan

I hereby certify that these plats ~~are a~~ correct copies of the plats now on 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 a carefully
compared copy of the dedication and certificates.

Dated this 11th day of May 1910
Geo W Bennett
Clerk And Ex. Offs. Dept.

10716

Plat of

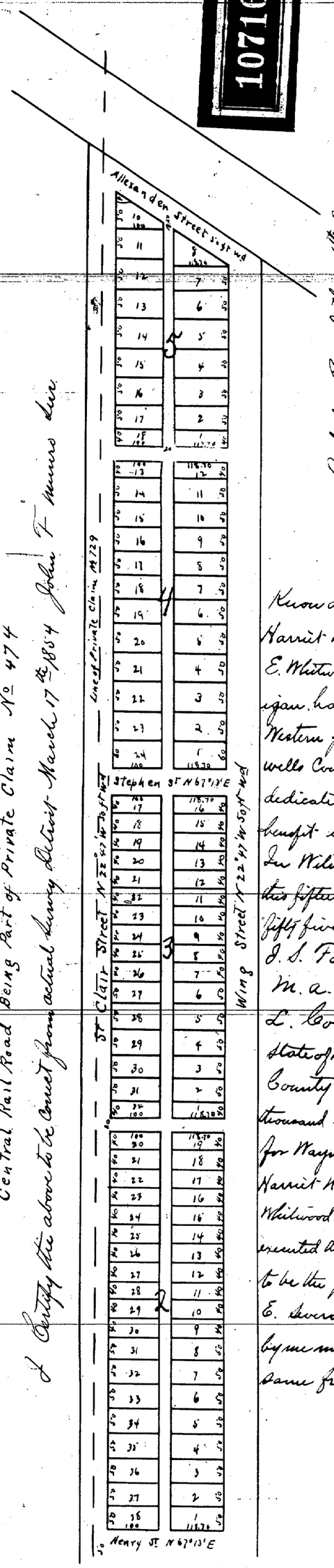
of Springwells Wayne Co Mich North of Fort Street & South of the Michigan

Laranger Farm in the Town of Springwells Wayne Co Mich
No 474

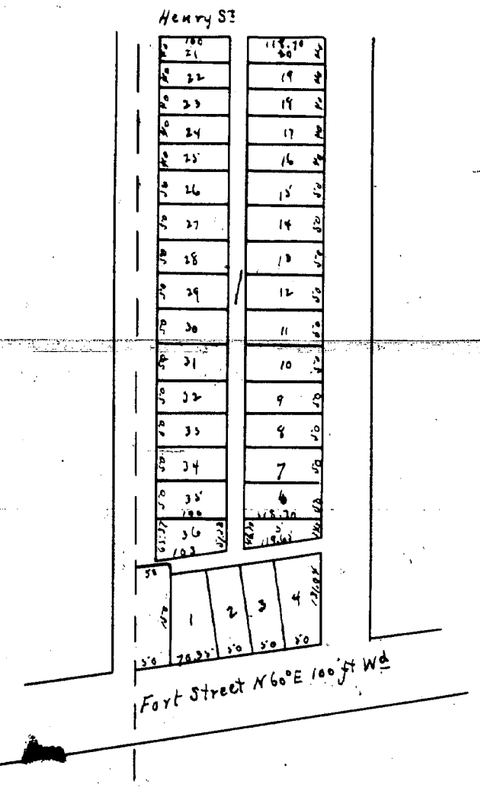
Central Rail Road Being Part of Private Claim No 17 as Confirmed to John F Munro Esq.

I Certify this above to be Correct from actual Survey Detroit March 17th 1854

Whitwood & Cargill's Subdivision of the West Half of the



Rec'd for Record this 6th day of March
A.D. 1855 at 3¼ o'clock P.M.



Know all men by these presents that we Oscar F. Cargill and Harriet N. Cargill his wife and Deodatus C. Whitwood and Caroline E. Whitwood his wife all of the City of Detroit and State of Michigan have caused to be made the accompanying Plat of the Western part of the Laranger Farm Situate in the Town of Springwells County of Wayne and State of Michigan and we do hereby dedicate the streets and alleys laid out thereon to the Public use and benefit under existing Laws.

In Witness whereof we have hereunto set our hands and seals this fifteenth day of January one thousand eight hundred and fifty five

Deodatus C. Whitwood (L.S)
Caroline E. Whitwood (L.S)
Oscar F. Cargill (L.S)
Harriet N. Cargill (L.S)

Signed Sealed and Delivered in presence of
I. S. Farrand
M. A. Chase
L. Cochran

State of Michigan } On this sixteenth day of January one
County of Wayne } thousand eight hundred and fifty five before me a Notary Public in and for Wayne County personally came the above named Oscar F. Cargill and Harriet N. Cargill his wife and Deodatus C. Whitwood & Caroline E. Whitwood his wife known to me to be the persons described in and who executed the above Conveyance and severally acknowledged the same to be the free act and deed and the said Harriet N. and Caroline E. severally each for herself acknowledged on a private examination by me made apart from her husband that she executed the same freely and without any fear or Compulsion of any one

Marcus A. Chase
Notary Public
Wayne County
Michigan

City Engineering Department
April 1, 1992

Honorable City Council:

Re: Petition No. 572 (A & B) General Services Administration (GSA) Region 5 Cargo Inspection Facility Expansion Project — Ambassador Bridge, Streets and Alleys to Easement (Phase II) In the area bounded by 22nd, Ste. Anne, W. Fort, and Porter.

The remainder of Petition No. 572 (A & B) of "GSA" requests the conversion of portions of public streets and alleys in the area bounded by Twenty-Second, Saint Anne (19th), W. Fort, and Porter Streets into an easement for "existing" public utilities.

This is Phase II of the GSA plan to expand the U.S. Customs Cargo Facility at the Ambassador Bridge.

The requested (Phase II) public street and alley closings were approved by the Community and Economic Development Department and the Department of Transportation. The petition was referred to the City Engineering Department for investigation and report. This is our report:

An agreement between GSA and the "Detroit International Bridge Company" has been executed.

Further, the City is owner in fee of part of Howard Street (50 feet wide; west of 21st), part of Lafayette Avenue (70 feet wide, east of 20th), and the east-west public alley (20 feet wide; west of 20th, and south of Porter), said streets and alley having been acquired by deed and/or court condemnation. Therefore, the Finance Director must execute a quit-claim deed to transfer the vacated and converted parts of public rights-of-way.

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 existing 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, All of the remaining part of the north-south public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard and Porter Streets lying westerly of and abutting the west line of the northerly 20.00 feet of Lot 88, and Lots 89, 92, 93, and 96; also lying easterly of and abutting the east line of Lots 87, 90, 91, 94, and 95 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All of the east-west public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard, and Porter Streets having been platted as the northerly 20.00 feet of Lot 88 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records (said public alley having been deeded to the City of Detroit on January 13, 1925 — J.C.C. pgs. 33-34); also

All that part of Lafayette Avenue, 70 feet wide, east of Twentieth Street (having been opened as a public street in 1886; Rec. Ct. File No. 584); said portion of Lafayette Avenue having been platted as the southerly 26.00 feet of Lot 28, and the northerly 44.00 feet of Lot 29, Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also

All that part of Twentieth Street, 50 feet wide, between W. Fort and Howard and abutting the west line of Lots 21 thru 36 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also lying easterly of and abutting the east line of the northerly 12.00 feet of the (vacated) east-west public alley (20 feet wide, in the block bounded by 21st, 20th, W. Fort, and Lafayette; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying easterly of and abutting the east line of Lots 5, 8, 9, 12, 13, 16, 17, 20, 21, 24, 25, and 28; also lying easterly of and abutting the east line of (vacated) Lafayette Avenue (70 feet wide; said part of public street having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying easterly of and abutting the east line of Lots 29, 32, 33, 36, 37, 40, 41, 44, 45, 48, and 49 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All that part of Twentieth Street, 50 feet wide, between Howard and Porter Streets lying westerly of and abutting the west line of the southerly 19.15 feet of Lot 23, and Lots 24 thru 38 as platted in Block 2, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, In the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also

All that part of Howard Street, 50 feet wide, west of Twenty-First Street (having been opened as a public street in 1880), Rec. Ct. File No. 466; Sept. 28, 1880 — J.C.C. pg. 547); said portion of Howard Street having been platted as parts of Lots 18, 19, and 20 of "Holbrook's Subdivision of Lots 1, 2, 3, and 4 of the Subdivision of Private Claim No. 727, between Fort Street and Michigan Central Railroad (as recorded in Liber 99, Page 411, Deeds, Wayne County Records)," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 202, Plats, Wayne County Records; said parts of lots being more particularly described (within the resolution of public necessity) as follows: Beginning at the northeasterly corner of said Lot 18 of "Holbrook's Sub'n."; thence S.26°52'E., along the easterly line of said Lot 18, 19.20 feet; thence S.67°13'W., to a point on the westerly line of said Lot 19, 148.37 feet; thence N.26°52'W., to a point on the westerly line of said Lot 20 of "Holbrook's Sub'n." 50.15 feet; thence N.67°13'E., to a point on the easterly line of said Lot 19 of "Holbrook's Sub'n.."; thence S.26°52'E., along the easterly line of said Lot 19, 30.95 feet to the point of beginning, containing 7,440 square feet more or less; also

All that part of Howard Street, 50 feet wide, west of Saint Anne Street lying southerly of and abutting the south line of (vacated) Twenty-First Street (60 feet wide; said public street, between Howard and Porter, having been previously vacated by City Council on February 3, 1989 — J.C.C. pgs. 216-17); also lying northerly of and abutting the north line of (vacated) Twenty-First Street (60 feet wide; said public street, between W. Fort and Howard, having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying southerly of and abutting the south of Lot 51; also lying southerly of and abutting the south line of the (vacated), northsouth public alley (20 feet wide, in the block bounded by 21st, 20th, Howard, and Porter; said part of public alley having been previously vacated by City Council on November 25, 1924 and August 10, 1965 — J.C.C. pg. 1970); also lying southerly of and abutting the south line of Lot 52; also lying northerly of and abutting the south line of the westerly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of Lot 49; also lying northerly of and abutting the north line of the (vacated) north-south public alley (20 feet wide, in the block bounded by 21st, 20th, Lafayette, and Howard; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying northerly of and abutting the north line of Lot 50 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also lying southerly of and abutting the south line of Lots 1, 2, 3, and 4 of the Subdivision of Private Claim No. 727, between Fort Street and Michigan Central Railroad (as recorded in Liber 99, Page 411, Deeds, Wayne County Records)," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 202, Plats, Wayne County Records; said parts of lots being more particularly described (within the resolution of public necessity) as follows: Beginning at the northeasterly corner of said Lot 18 of "Holbrook's Sub'n."; thence S.26°52'E., along the easterly line of said Lot 18, 19.20 feet; thence S.67°13'W., to a point on the westerly line of said Lot 19, 148.37 feet; thence N.26°52'W., to a point on the westerly line of said Lot 20 of "Holbrook's Sub'n." 50.15 feet; thence N.67°13'E., to a point on the easterly line of said Lot 19 of "Holbrook's Sub'n.."; thence S.26°52'E., along the easterly line of said Lot 19, 30.95 feet to the point of beginning, containing 7,440 square feet more or less; also

All that part of Howard Street, 50 feet wide, west of Saint Anne Street lying southerly of and abutting the south line of (vacated) Twenty-First Street (60 feet wide; said public street, between Howard and Porter, having been previously vacated by City Council on February 3, 1989 — J.C.C. pgs. 216-17); also lying northerly of and abutting the north line of (vacated) Twenty-First Street (60 feet wide; said public street, between W. Fort and Howard, having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying southerly of and abutting the south of Lot 51; also lying southerly of and abutting the south line of the (vacated), northsouth public alley (20 feet wide, in the block bounded by 21st, 20th, Howard, and Porter; said part of public alley having been previously vacated by City Council on November 25, 1924 and August 10, 1965 — J.C.C. pg. 1970); also lying southerly of and abutting the south line of Lot 52; also lying northerly of and abutting the south line of the westerly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of Lot 49; also lying northerly of and abutting the north line of the (vacated) north-south public alley (20 feet wide, in the block bounded by 21st, 20th, Lafayette, and Howard; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying northerly of and abutting the north line of Lot 50 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also lying southerly of and abutting the south line of Lot 38 (Block 2); also lying southerly of and abutting the south line of the easterly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of Lot 21 (Block 1) of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records;

Be and the same are hereby vacated as public streets and alleys and are hereby converted into a public easement of the full width of the streets and alleys, which easement shall be subject to the following convenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said streets and 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 streets and alleys herein above described for the purposes of maintaining, installing, repairing, removing, or replacing existing 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 street or 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 streets and 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 existing 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 (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 streets and 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 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 whole or part of any remaining public street and/or alley return(s) at the entrance(s), such removal and construction of new curb, pavement, 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

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds; and be it further

Resolved, The Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street and alley) rights-of-way to the "United States of America and its assigns, Washington, D.C. (property is being acquired for the U.S. Customs Expanded Cargo Inspection Facility — Ambassador Bridge Border Station, Detroit, MI by the General Services Administration, Region 5)", for the fair market value and/or other valuable considerations:

(1) "Land in the City of Detroit, Wayne County, Michigan being all of the east-west public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard, and Porter Streets (said public alley having been deeded to the City of Detroit on January 13, 1925 — J.C.C. pp. 33-34); said public alley having been platted as the northerly 20.00 feet of Lot 88 of the "Subdivision of part of Private Claim 729, North of Fort Street," as recorded in Liber 1, Page 265, Plats, Wayne County Records, containing 2,667 square feet or 0.0612 acres more or less; subject to an easement for existing public utilities;" also

(2) "Land in the City of Detroit, Wayne County, Michigan being all that part of Lafayette Avenue, 70 feet wide, east of Twentieth Street (having been opened as a public street in 1886, Recorder's Court File No. 584; resolution of necessity adopted by City Council on May 26, 1885 — J.C.C. pp. 244-47); said portion of Lafayette having been platted as the southerly 26.00 feet of Lot 28, and the northerly 44.00 feet of Lot 29, Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, In the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," as recorded in Liber 56, Page 269, Deeds, Wayne County Records, containing 7,000 square feet or 0.1607 acres more or less; subject to an easement for existing public utilities;" also

(3) "Land in the City of Detroit, Wayne County, Michigan being all that part of Howard Street, 50 feet wide, west of Twenty-First Street (having been opened as a public street by Recorder's Court File No. 466 on August 27, 1880, and referred to City Council on September 28, 1880 — J.C.C. p. 547); said portion of Howard Street having been platted as parts of Lots 18, 19, and 20 of "Holbrook's Subdivision of Lots 1, 2, 3, and 4 of the Subdivision of Private Claim No. 727, between Fort Street and Michigan Central Railroad (as recorded in Liber 99, Page 411, Deeds, Wayne County Records)," (as recorded Liber 1, Page 202, Plats, Wayne County Records; said parts of lots being more particularly described (within the resolution of public necessity) adopted by City Council on March 30, 1880 — J.C.C. p. 132) as follows: Beginning at the northeasterly corner of said Lot 18 of "Holbrook's Sub'n.;" thence S.26°52'E., along the easterly line of said Lot 18, 19.20 feet; thence S.67°13'W., to a point on the westerly line of said Lot 19, 148.37 feet; thence N.26°52'W., to a point on the westerly line of said Lot 20 of "Holbrook's Sub'n.," 50.15 feet; thence N.67°13'E., to a point on the easterly line of said Lot 19 of "Holbrook's Sub'n.," 148.37 feet; thence S.26°52'E., along the easterly line of said Lot 19, 30.95 feet to the point of beginning, containing 7,440 square feet or 0.1708 acres more or less; subject to an easement for existing public utilities."

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

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 as appears from the ~~Journal~~ Detroit Legal News April 21st, 1992 of said City Council, on file in my office.

L. 25745
PA. 753
MAY 6 - 1992
L. 25745
754

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on May 5th, 1992

J. D. Blaine
Deputy City Clerk

1-8857
2-10716

10716

10716

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16 X

City Engineering Department
July 12, 1994

Honorable City Council:

Re: Petition No. 2996. General Services Administration (GSA) Street and Alley to Easement remaining part of 20th and westerly half of east-west public alley in the block bounded by 20th, Ste. Anne, W. Fort and W. Lafayette.

Petition No. 2996 of the "General Services Administration (GSA)" requests the conversion of the remaining part of Twentieth Street, 50 feet wide, and the westerly half of the east-west public alley, 1.20 and 20 feet wide, in the block (generally) bounded by Twentieth, Saint Anne and W. Fort Streets, and W. Lafayette Boulevard into a private easement for 'existing' public utilities.

This is part of the GSA plan to expand the U.S. Customs Cargo Facility at the Ambassador Bridge.

The requested conversion was approved by the Planning and Economic Development Department. The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report:

The city is owner in fee of part of Twentieth Street (50 feet wide; North of W. Fort), said part of public street having been acquired by court condemnation. Therefore, the Finance Director must execute a quit-claim deed to transfer the vacated and converted part of public right-of-way.

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 existing 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 Scott:

Resolved, All of the remaining part of Twentieth Street, 50 feet wide, North of W. Fort Street (100 feet wide) lying westerly of and abutting the west line of the east-west public alley (1.20 and 20 feet wide; in the block bounded by 20th, Saint Anne, W. Fort, and W. Lafayette); also being the westerly 25.00 feet of an unnumbered lot which lies westerly of and abuts the west line of Lot 1 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474", City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records (said part of unnumbered lot having been opened as a public street in 1866, Rec. Ct. File, confirmed on June 4, 1866; June 26, 1866 — J.C.C. page 119); also lying easterly of and abutting the east line of the southerly 8.00 feet (more or less) of the (vacated) east-west public alley (20 feet wide, in the block bounded by 21st, 20th, W. Fort, and W. Lafayette; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pages 1752-56; also lying easterly of and abutting the east line of Lot 4 of the "Subdivision of part of Private Claim 729, North of Fort Street", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All of the westerly half of the east-west public alley, 1.20 and 20 feet wide, in the block bounded by Twentieth, Saint Anne and W. Fort Streets, and W. Lafayette Boulevard lying southerly of and abutting the south line of Lot 36; also lying northerly of and abutting the north line of an unnumbered lot (except that part taken for the widening of 20th Street in 1866, Rec. Ct. File, confirmed on June 4, 1866; June 26, 1866 — J.C.C. page 119); also lying northerly of and abutting the north line of the westerly 27.35 feet of Lot 2, and Lot 1 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474", City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records;

Be and the same are hereby vacated as a public street and alley and are hereby converted into a private easement for existing public utilities of the full width of the street and 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 street and 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 street and 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 street or 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 street and 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 existing 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 street and 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 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 whole or part of the remaining public street return at the entrance, (into W. Fort Street), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications (and/or the specifications of the Michigan Department of Transportation, if necessary, within W. Fort Street, 100 feet wide) 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 Register of Deeds; and be it further

Resolved, The Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street) right-of-way to "United States of America and its assigns, Washington, D.C. (property is being acquired for the U.S. Customs Expanded Cargo Inspection Facility — Ambassador Bridge Border Station, Detroit, MI by the General Services Administration, Region 5)", for the fair market value and/or other valuable considerations.

Adopted as follows:
Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.
Nays — None.

10716

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 ~~XXXXXXX~~ of said City Council, on file in my office.

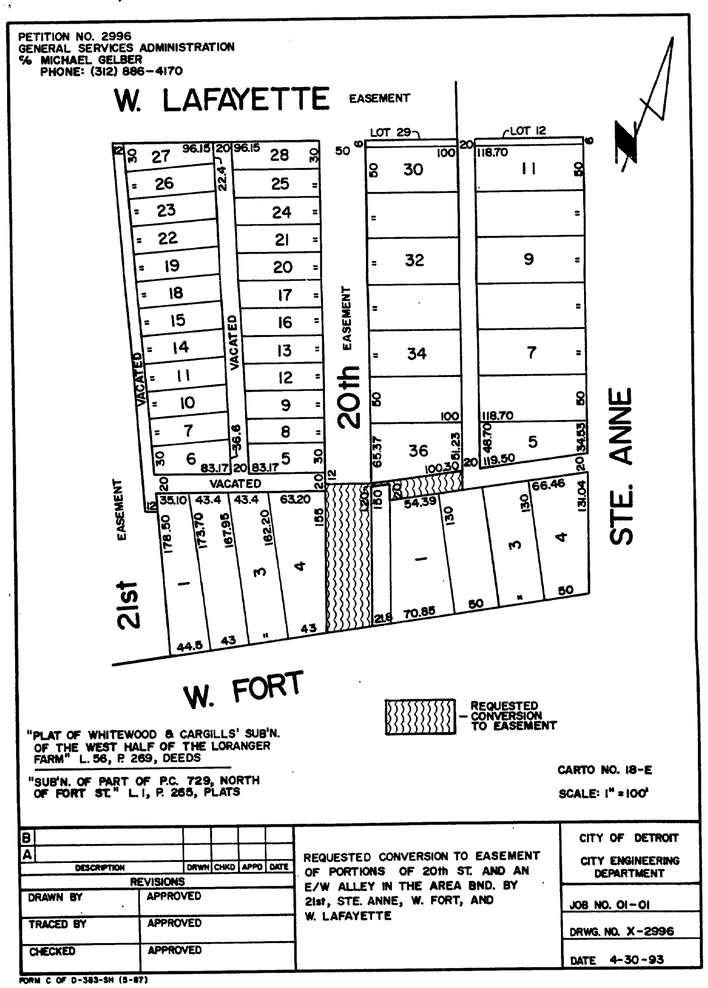
MAP ATTACHED
LI# 27549
PA# 386
Rec'd Date: Aug. 10, 1994

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

August 8th, 1994

Vernon C. Allen
Deputy City Clerk

"FORWARD TO STATE TREASURER" 10716



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City Engineering Department
December 1, 1992

Honorable City Council:

Re: Petition No. 1572(a), General Services Administration (GSA), Region 5, Cargo Inspection Facility Expansion Project, Ambassador Bridge, Street to Easement, part of Porter, east of 20th to the alley.

Petition No. 1572 (a) of the "General Services Administration (GSA), Region 5" requests the conversion of part of Porter Street, 50 feet wide, east of Twentieth Street to the alley into an easement for public utilities.

A public hearing was held on September 29, 1992 by City Council to consider a petition of the "Hubbard Richard Citizens District Council (#2721)", relative to closing said part of Porter Street between 20th and the alley east thereof. Generally, the public hearing findings were as follows: (1) trucks have ignored the city posted traffic control signs; and (2) the community wants said part of Porter Street closed at 20th for neighborhood safety.

In a letter (dated November 10, 1992) submitted to the City Clerk GSA states: "This request is made in response to the Hubbard-Richard Citizen's District Council's concerns regarding truck traffic through this community, and in conjunction with the Federal project at the Ambassador Bridge border crossing." The referenced GSA letter was brought before your Honorable Body on November 20, 1992.

As part of Petition No. 1572 the requested public street closing was approved by the Community and Economic Development Department and the Department of Transportation (now DPW-Traffic Engineering Division). The petition was referred to the City Engineering Department for investigation and report. This is our report:

An agreement between GSA and the "Detroit International Bridge Company" has been executed. Also, evidence of controlling interests in the properties abutting said part of Porter Street has been submitted to the City Engineering Department.

The Public Lighting Department (PLD) has extensive facilities within Porter Street that must remain accessible for public inspection, service, maintenance, and repair. PLD will be responsible for drafting specifications, details, and other provisions necessary to protect their facilities; to be enumerated in a separate "easement agreement". Therefore, PLD is requesting authorization from your Honorable Body to draft, execute, monitor, and administer (for and on behalf of the City of Detroit), a "four party easement agreement" for closing Porter Street. The four parties will include the "Detroit International Bridge Company", "GSA", "U.S. Customs Service", and PLD.

Further, the City is owner in fee of the referenced part of Porter Street, 50 feet wide. Consequently, the Finance Director must execute a quit-claim deed to transfer the vacated and converted part of public (street) right-of-way.

All other city departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into a utility easement. Generally, provisions protecting utility installations are part of the resolution.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Butler:

Whereas, A public hearing was held on September 29, 1992 by City Council to consider a petition of the "Hubbard Richard Citizens District Council (#2721)", relative to closing part of Porter Street between Twentieth Street and the public alley east thereof. Generally, the public hearing findings were as follows: (1) trucks have ignored the city posted traffic control signs; and (2) the community wants said part of Porter Street closed east of 20th for neighborhood safety; and

Whereas, In a letter (dated November 10, 1992) submitted to the City Clerk the "General Services Administration (GSA), Region 5" states: "This request is made in response to the Hubbard-Richard Citizen's District Council's concerns regarding truck traffic through this community, and in conjunction with the Federal project at the Ambassador Bridge border crossing." The referenced GSA letter was brought before City Council on November 20, 1992; and

Whereas, The requested public street closing is a part of Petition No. 1572 as approved by the Community and Economic Development Department and the Department of Transportation (now Department of Public Works — Traffic Engineering Division). Also, evidence of controlling interests in the properties abutting said part of Porter Street has been submitted to the City Engineering Department; therefore be it

Resolved, That part of Porter Street, 50 feet wide, [illegible] Twentieth Street having been opened as a public street in 1881, Recorder's Court File No. 488; resolution of necessity adopted by City Council on December 21, 1880 — J.C.C. pgs. 662-65); said portion of Porter Street having been platted as the southerly 29.15 feet of Lot 22, and the northerly 20.85 feet of Lot 23, Block 2, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474", City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 street 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 street 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 street 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 street 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 and the Public Lighting Department,

FOURTH, that if the owners of any lots abutting on said vacated street 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 whole or part of any remaining public street or alley return(s) at the entrance(s), such removal and construction of new curb, pavement, and sidewalk shall be done under City permit(s) and inspection(s) according to City Engineering Department and Public Lighting 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; and be it further

RESOLVED, The Public Lighting Department (PLD) is hereby authorized and directed to draft (or cause to be drafted), execute, monitor, and administer (for and on behalf of the City of Detroit, a Michigan municipal corporation (the "City"); a "four party easement agreement" for said vacation of Porter Street. The four parties shall include the "Detroit International Bridge Company", "General Services Administration — Region 5", "United States Customs Service", and PLD. The "easement agreement" shall enumerate specifications, details, and other provisions necessary to protect extensive PLD facilities within said Porter Street that must remain accessible for city inspection, service, maintenance, and repair. Also, PLD shall submit said "easement agreement" to the Law Deparment for approval of the document as to form and execution; and be it further

RESOLVED, The Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street) right-of-way to the "United States of America and its assigns, Washington, D.C. (property is being acquired for the U.S. Customs Expanded Cargo Inspection Facility — Ambassador Bridge Border Station, Detroit, MI by the General Services Administration, Region 5)", for the fair market value and/or other valuable considerations:

"Land in the City of Detroit, Wayne County, Michigan being all that part of Porter Street, 50 feet wide, east of Twentieth Street (having been opened as a public street in 1881, Recorder's Court File No. 488; resolution of necessity adopted by City Council on December 21, 1880 —J.C.C. pgs. 662-65); said portion of Porter Street having been platted as the southerly 29.15 feet of Lot 22, and the northerly 20.85 feet of Lot 23, Block 2, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474', as recorded in Liber 56, Page 269, Deeds, Wayne County Records, containing 5,000 square feet or 0.1148 acres more or less; subject to an easement for public utilities;"

Adopted as follows:
Yeas — Council Members Eberhard, Everett, Hill, Hood and Kelley — 5.
Nays — Butler, Cleveland, Ravitz and President Mahaffey — 4.

STATE OF MICHIGAN) ss. SHORT FORM - TRUE COPY CERTIFICATE
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 December 4th, 1992

and approved by the Mayor on December 11th, 1992

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

Wayne Co.

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

February 2nd, 1993

James H Bradley
City Clerk

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REC'D Feb 4, 1993

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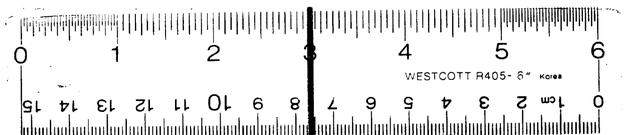

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