"ALBERT CRANE'S PLAT"

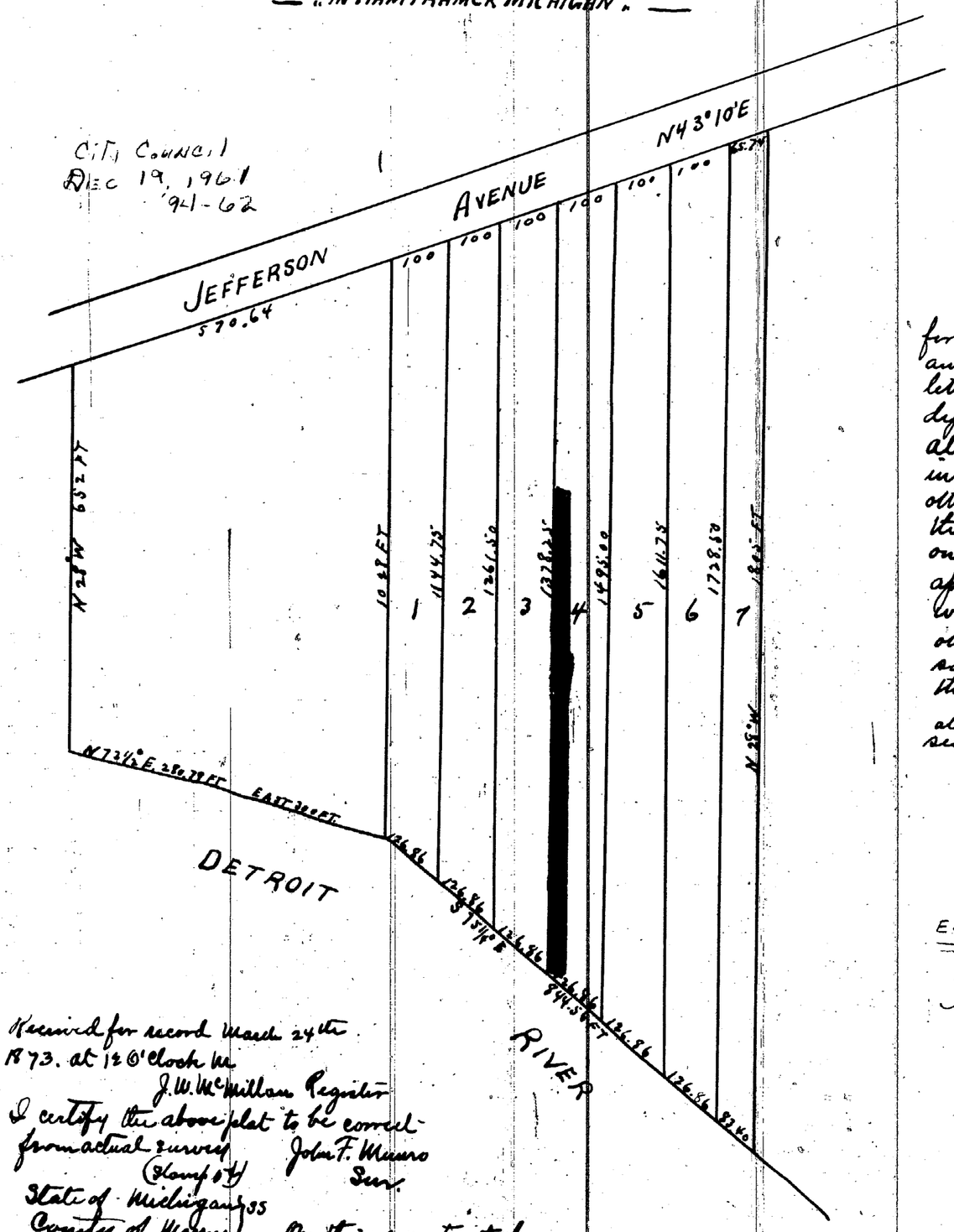
OF THAT PART OF

"PRIVATE CLAIM 644"

"AND THE EASTERN 539 FT. OF P.C. 723"

LYING SOUTH OF JEFFERSON AVE.

"IN HAMTRAMCK MICHIGAN"


JEFFERSON AVENUE
570.64
N 43° 10' E
N 25° W
N 73½° E 286.39 FT.
EAST 286 FT.
DETROIT RIVER
100
100
100
100
100
100
10 & 1/2 FT
1
2
3
4
5
6
7
126.86
126.86
126.86

11348

468

By Council Member Eberhard:

Resolved, That all that part of the east-west public alley, 15 feet wide, in the block bounded by Park and Woodward Avenues, West Montcalm Street, and the Fisher Freeway Service Drive lying southerly of and adjoining the south line of Lots 1 to 3 of ~~Plat of Albert Crane's Subdivision~~ of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of 82, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records, also lying southerly of and adjoining the south line of Lots 51 to 54, also lying northerly of and adjoining the north line of Lots 39 to 44 of ~~Lothrop's Subdivision~~ of Park Lot 82, City of Detroit, part of Park Lot 82, City of Detroit, Wayne County, Michigan, as recorded in Liber 39, Page 430, Wayne County Records:

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions:

Provided, The petitioner shall provide an easement on private property for padmounted switchgear as required by the Detroit Edison Company, and further

Provided, Any structure to be built over the abandoned City sewer shall require the advance approval of plans by the Sewer Services Section—Water and Sewerage Department and the Buildings and Safety Engineering Department. The petitioner shall secure any necessary permits prior to construction. All costs for public sewer replacement, bulk heading, grouting, manholes, catch basins, inspection and permits shall be paid by the petitioner; and be it further

Resolved, The City Engineering Department is hereby authorized to issue permits to Turner Construction Company (for Little Caesar Enterprises, Inc.) to construct and maintain below grade footings and foundations encroaching into the north side of West Montcalm Street (50 feet wide), the south side (margin) of the Fisher Freeway Service Drive (variable width), and the west side of the north-south public alley (15 feet wide) first west of Woodward Avenue between Montcalm Street and Fisher Freeway Service Drive, property described as:

Lot 1 to 3 of "Plat of Albert Crane's Subdivision of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of Park Lot 82," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records; also the east-west public alley, 15 feet wide, as described above in this resolution; and Lots 43, 44, 51 to 55 of "Lothrop's Subdivision of Park Lot 83 and part of Park Lot 82," City of Detroit, Wayne County, Michigan as recorded in Liber 39, Page 430, Deeds, Wayne County Records;

Encroachment to consist of below-grade footings and foundations extending approximately 5.00 feet into public rights-of-way along the north, east and south sides of the above described property;

Provided, The petitioner shall submit construction plans and secure permits from the Buildings and Safety Engineering Department and the City Engineering Department prior to any construction. All work within the public rights-of-way shall conform to the rules and regulations of the City Engineering Department, and the Department of Transportation; and

Provided, The petitioner shall be liable for all incidental repair costs and/or damages to any public or private utility installations located therein. Additionally, if it becomes necessary to repair or replace the utilities located or to be located in said public rights-of-way, by the acceptance of this permission, the petitioner, their heirs and assigns, owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary; and

Provided, The petitioner at the time of obtaining said permits file with the Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby leaves any right to claim damages or compensation for removal of encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That this permit shall not be assigned or transferred without the written approval of the City Council; and

Provided, That any permits necessary to work in public rights-of-way under the jurisdiction of the State of Michigan shall be obtained from the Michigan Department of Transportation; and

Provided, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

*RECONSIDERATION (No. 8), per Motions before Adjournment.

SHORT FORM - TRUE COPY CERTIFICATE

STATE OF MICHIGAN)
CITY OF DETROIT) SS.

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 16th, 1988

and approved by the Mayor on MARCH 22nd, 1988

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 13th, 1988

James H. Bradley
City Clerk
JAMES H. BRADLEY

L23720
TH 781
Rec'd 5-13-88

11348

468

By Council Member Eberhard:

Resolved, That all that part of the east-west public alley, 15 feet wide, in the block bounded by Park and Woodward Avenues, West Montcalm Street, and the Fisher Freeway Service Drive lying southerly of and adjoining the south line of Lots 1 to 3 of "Plat of Albert Crane's Subdivision of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of 82," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records, also lying southerly of and adjoining the south line of Lots 51 to 54, also lying northerly of and adjoining the north line of Lots 39 to 44 of "Lothrop's Subdivision of Park Lot 82," City of Detroit, part of Park Lot 82, City of Detroit, Wayne County, Michigan, as recorded in Liber 39, Page 430, Wayne County Records:

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions:

Provided, The petitioner shall provide an easement on private property for padmounted switchgear as required by the Detroit Edison Company, and further

Provided, Any structure to be built over the abandoned City sewer shall require the advance approval of plans by the Sewer Services Section—Water and Sewerage Department and the Buildings and Safety Engineering Department. The petitioner shall secure any necessary permits prior to construction. All costs for public sewer replacement, bulk heading, grouting, manholes, catch basins, inspection and permits shall be paid by the petitioner; and be it further

Resolved, The City Engineering Department is hereby authorized to issue permits to Turner Construction Company (for Little Caesar Enterprises, Inc.) to construct and maintain below grade footings and foundations encroaching into the north side of West Montcalm Street (50 feet wide), the south side (margin) of the Fisher Freeway Service Drive (variable width), and the west side of the north-south public alley (15 feet wide) first west of Woodward Avenue between Montcalm Street and Fisher Freeway Service Drive, property described as:

Lot 1 to 3 of "Plat of Albert Crane's Subdivision of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of 82," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records; also the east-west public alley, 15 feet wide, as described above in this resolution; and Lots 43, 44, 51 to 55 of "Lothrop's Subdivision of Park Lot 83 and part of Park Lot 82," City of Detroit, Wayne County, Michigan as recorded in Liber 39, Page 430, Deeds, Wayne County Records;

Encroachment to consist of below-grade footings and foundations extending approximately 5.00 feet into public rights-of-way along the north, east and south sides of the above described property;

Provided, The petitioner shall submit construction plans and secure permits from the Buildings and Safety Engineering Department and the City Engineering Department prior to any construction. All work within the public rights-of-way shall conform to the rules and regulations of the City Engineering Department, and the Department of Transportation; and

Provided, The petitioner shall be liable for all incidental repair costs and/or damages to any public or private utility installations located therein. Additionally, if it becomes necessary to repair or replace the utilities located or to be located in said public rights-of-way, by the acceptance of this permission, the petitioner, their heirs and assigns, owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary; and

Provided, The petitioner at the time of obtaining said permits file with the Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby leaves any right to claim damages or compensation for removal of encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That this permit shall not be assigned or transferred without the written approval of the City Council; and

Provided, That any permits necessary to work in public rights-of-way under the jurisdiction of the State of Michigan shall be obtained from the Michigan Department of Transportation; and

Provided, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

*RECONSIDERATION (No. 8), per Motions before Adjournment.

SHORT FORM - TRUE COPY CERTIFICATE

STATE OF MICHIGAN)
CITY OF DETROIT) SS.

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 16th, 1988

and approved by the Mayor on MARCH 22nd, 1988

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 13th, 1988

James H. Bradley
City Clerk
JAMES H. BRADLEY

L23720
TH 781
Rec'd 5-13-88

ClibPDF - www.fastio.com