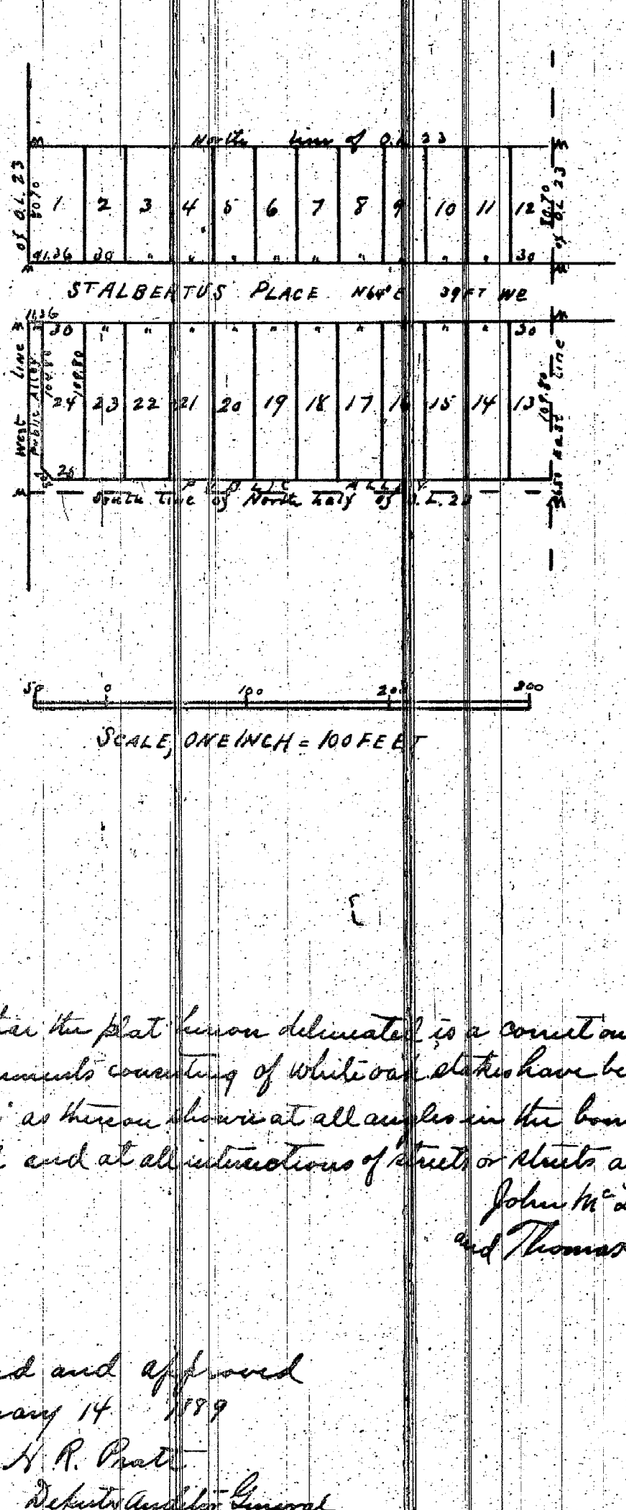
10378

PERRINE

"Sub^n of the North Half of O.L. 23"

"WITHERELL FARM"

Detroit Wayne Co. Michigan.



Know all men by these presents that I Joseph Perrine unmarried have caused to be made for record this map of Perrine subdivision of the north half of Out Lot 23 Witherell farm Detroit Wayne County Michigan by the Langhlen and Campau surveyors and I hereby adopt the same for Record and dedicate the streets and alleys shown for the use of the Public

In presence of
Louise M^c Dermott
Andrew W. Kelley

Witness my hand and seal this 11^th day of January A D eighteen hundred and Eighty nine
Joseph Perrine (23)

State of Michigan } ss
County of Wayne }

On this eleventh day of January A D eighteen hundred and Eighty nine before me the subscriber a Notary Public in and for said County personally appeared Joseph Perrine known to me to be the same person who executed the above instrument and who acknowledged the same to be his free act and deed.

Andrew W. Kelley
Notary Public Wayne Co. Mich

I hereby certify that the plat hereon delineated is a correct one and that permanent monuments consisting of White oak stakes have been planted at points marked "x" as thereon shown at all angles in the boundaries of the subdivision and at all intersections of streets or streets and alleys

John M^c Loughlen
and Thomas Campau
Surveyors

State of Michigan } ss.
County of Wayne }

We P. C. Berdt Dep Register of Deeds John M^c Loughlen and Thomas Campau Surveyors hereby certify that we have each carefully compared this copy with the original plat of Perrine Subdivision of the north half of Out Lot 23 Witherell farm Detroit Wayne County Michigan and that it is an exact copy thereof and of the whole of said original map or Plat.

P. C. Berdt Dep Register of Deeds
John M^c Loughlen } Surveyors
Thomas Campau }

Examined and approved
January 14 1889
N. P. Pratt
Deputy Auditor General

Register's Office } ss
County of Wayne }
Received for Record this 19 th day of January A D 1889 at 2 30 o'clock P M and recorded in Liber 12 of Plats on Page 47
P. C. Berdt
Dep Register

I hereby certify that this plat is a correct copy of the plat now on record in the Register of Deeds office, being made under the supervision of the Auditor General by tracing the plat on record and affixing thereto a carefully compared copy of the dedication and certificate

Dated this 16 th day of Sept 1910
Geo. W. Bennett
Clerk Aud. Gen'l's Dept.

Approved Jan 19th 1889
William H. Langley } Board of
Thomas McGrath } Public Works
James Hanley } City of Detroit

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City Engineering Department
August 29, 1989

Honorable City Council:

Re: Petition No. 2555. The Boomer Company — Convert Street and Alleys to Easements — Part of St. Albertus Place and portions of the public alleys in the area bounded by Grand Trunk Railroad, St. Aubin, Canfield, and Garfield.

Petition No. 2555 of "The Boomer Company" requests the conversion of a portion of St. Albertus Place, 39 feet wide, between Grand Trunk Railroad and St. Aubin, also the conversion of the north-south public alley, 11.36 feet wide, and a portion of the east-west public alley, 6.50 feet wide (and variable width), in the area bounded by the Grand Trunk Railroad, St. Aubin, Canfield, and Garfield Avenues into an easement for public utilities.

The conversions 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:

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 Hood:

All that part of St. Albertus Place, 39 feet wide, between the Grand Trunk Railroad and St. Aubin Avenue lying southerly of and abutting the south line of the east 30.00 feet of Lot 1, and Lots 2 and 3; also lying northerly of and abutting the north line of Lots 22 to 24 as platted in "Perrien's Subdivision" of the North Half of Outlot 23, Witherell Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 47, Plats, Wayne County Records; also

All of the north-south public alley, 11.36 feet wide, in the block bounded by the Grand Trunk Railroad, St. Aubin and Canfield Avenues, and St. Albertus Place lying westerly of and abutting the west line of St. Albertus Place (39 feet wide); also lying westerly of and abutting the west line of Lot 24, also lying westerly of and abutting the west line of the east-west public alley (6.50 feet wide, and variable width) having been platted in "Perrien's Subdivision" of the North Half of Outlot 23, Witherell Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 47, Plats, Wayne County Records; also lying easterly of and abutting (the south 155.30 feet of the north 236.00 feet of) the west line of Outlot 23 of the "Plat of the Subdivision of Private Claim 90 by Heirs of James Witherell," City of Detroit, Wayne County, Michigan as recorded in Liber 34, Page 2, Deeds, Wayne County Records; also

All that part of the east-west public alley, 6.50 feet wide (and variable width), in the block bounded by the Grand Trunk Railroad, St. Aubin and Canfield Avenues, and St. Albertus Place lying southerly of and abutting the south line of the west 18.64 feet of Lot 23, and Lot 24 as platted in "Perrien's Subdivision" of the North Half of Outlot 23, Witherell Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 47, Plats, Wayne County Records, also lying northerly of and abutting the north line of the east 18.64 feet of Lot 21, and Lot 20 as platted in the "Subdivision of the South part of Outlot 23", Witherell Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 3, Page 67, Plats, Wayne County Records;

Be and the same are hereby vacated as a public street and alleys and are hereby converted into a public easement of the full width of the street and alleys, 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 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 street and alleys 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 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 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 street 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 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 essessive 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 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 Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

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RECD 10-3-89

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 September 20th, 1989

and approved by the Mayor on September 25th, 1989

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

October 4th, 1989

James H Bradley
City Clerk

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