

gate installations Engineering Departments, if necessary; also plant materials shall be subject to the review and approval of the Recreation Department, if necessary) 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 alley shall request the removal and/or relocation of any hydrants, catch basins, drains, 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 cost incidental to the repair of such broken or damaged utility; and further

Provided, that if it becomes necessary to remove the paved alley returns at the entrance (into Wadsworth, Plainview Avenues, Evergreen and Plymouth Roads), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division-DPW specifications with all costs borne by "Steve Murphy/GNI Development Company", 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.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

**Department of Public Works  
City Engineering Division**

July 24, 1998

Honorable City Council:

Re: Petition No. 2711 United States Postal Service (USPS) Brightmoor Station Street and Alleys to Vacation In the area bounded by Braile, Fielding, Outer Drive, and Fenkell; also USPS intent to build a new east-west connector road and deed the completed road to the city

Petition No. 2711 of "United States Postal Service [USPS]" requests the outright vacation of the following public street and alleys in the area bounded by Braile and Fielding Avenues, West Outer Drive, and Fenkell Avenue:

(1) A northerly part of Patton Avenue, 50 feet wide, between Fenkell Avenue and West Outer Drive; also

(2) A westerly part of the east-west public alley, 18 feet wide, first south of Fenkell Avenue between Patton and Fielding Avenues; also

(3) All of the east-west public alley, 18 feet wide, first south Fenkell Avenue between Braile and Patton Avenues; also

(4) A northerly part of the north-south public alley, 16 feet wide, in the block bounded by Braile and Patton Avenues, West Outer Drive, and Fenkell Avenue.

The petition was referred to City Engineering Division — DPW for investigation (utility clearances) and report. This is our report:

The Fire Marshal and Traffic Engineering Division — DPW requires USPS to maintain neighborhood and emergency vehicle traffic circulation in the area. USPS developed plans to build a new east-west connector roadway at no expense to the city. USPS acquired land and set-aside funding to build the new connector roadway. The roadway will be built by private contract within USPS properties under City Engineering Division — DPW inspection and permits. When the roadway is completed to city specifications, USPS intends to deed the property to the city. City Council is requested to declare the city's 'intent' to accept the deed and roadway for public street purposes; provided said property complies with the requirements of Detroit codes and ordinances, also known as the 'Environmental Review Guidelines.' A separate resolution-recommending acceptance of the deed—will be presented to City Council for consideration.

USPS reached agreement with privately owned utility companies, regarding alteration and/or removal of their services at the proposed Brightmoor Station site. The following privately owned utilities reported costs paid by USPS: Ameritech/Michigan Bell Telephone Company, Comcast Cablevision, Detroit Edison Company, and Michigan Consolidated Gas Company.

Public Lighting Department received \$2,500.00 for the estimated cost to remove and reroute overhead street and alley lighting circuits.

Water and Sewerage Department [DWSD] received \$5,000.00 for the estimated cost to review and approve engineering design plans of USPS alterations to water main(s) and abandonment of public sewers. USPS must pay all expenses to reroute certain existing water mains and construct new connections to the DWSD network. USPS must provide DWSD suitable easements for the public water main(s) system before the start of construction. The new rerouted water main(s) must be engineered and con-

structed by USPS at no cost to the city. USPS plans to complete all DWSD required work by private contract. Provisions protecting the interests of DWSD are within the attached resolution.

All other involved city departments and privately owned utility companies reported no objections to the outright vacation. Provisions protecting certain utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI  
City Engineer

By Council Member Hood:

Whereas, Petition No. 2711 of "United States Postal Service [USPS]" requests the outright vacation of the following public street and alleys in the area bounded by Braile and Fielding Avenues, West Outer Drive, and Fenkell Avenue:

(1) A northerly part of Patton Avenue, 50 feet wide, between Fenkell Avenue and West Outer Drive; also

(2) A westerly part of the east-west public alley, 18 feet wide, first south of Fenkell Avenue between Patton and Fielding Avenues; also

3) All of the east-west public alley, 18 feet wide, first south Fenkell Avenue between Braile and Patton Avenues; also

(4) A northerly part of the north-south public alley, 16 feet wide, in the block bounded by Braile and Patton Avenues, West Outer Drive, and Fenkell Avenue; and

Whereas, The Fire Marshal and Traffic Engineering Division — DPW requires USPS to maintain neighborhood and emergency vehicle traffic circulation in the area. USPS developed plans to build a new east-west connector roadway at no expense to the city. USPS acquired land and set-aside funding to build the new connector roadway. The roadway will be built by private contract within USPS properties under City Engineering Division — DPW inspection and permits. When the roadway is completed to city specifications, USPS intends to deed the property to the city. City Council is requested to declare the city's "intent" to accept the deed and roadway for public street purposes; provided said property complies with the requirements of Detroit codes and ordinances, also known as the "Environmental Review Guidelines." A separate resolution-recommending acceptance of the deed-will be presented by the Department of Public Works to City Council for consideration; and

Whereas, One letter addressing city "Environmental Review Guidelines" is part of Petition No. 2711 as follows:

Received via fax July 20, 1998 15:05  
From:USPS CHICAGO FSO [Letterhead]  
CHICAGO FACILITY OFFICE  
United States Postal Service

Mr. William L Talley, Head Engineer  
City of Detroit  
City Engineering Division-Dpw/Suite 900  
65 Cadillac Square  
Detroit, MI 48226-2873  
Re: Brightmoor Postal Station/Detroit, MI  
Dear Mr. Talley:

It is my understanding that the City is requiring a Modification to the Original Postal Environmental Assessment, Phase I to incorporate the four lots to be utilized for the Construction of the connector road between Patton and Braile.

Please be advised that the USPS has undertaken this request and has retained soil and materials engineers, inc., to complete this additional report.

This work should be completed in draft form by August 5, 1998, with final draft within seven working days.

It is the intention of the USPS to transfer title back to the city upon completion of the road improvements to city specifications for public access.

Please accept this letter for that purpose.

[Signature] James S. Kinne  
222 S. Riverside Plaza, Suite 1200  
Chicago, IL 60606-6150  
312-669-5976  
FAX: 312-669-5947

Jim Kinne  
312-669-5975

FAX: 312-669-5959; therefore be it

Resolved, All that part of Patton Avenue, 50 feet wide, between Fenkell Avenue and West Outer Drive lying westerly of and abutting the west line of Lot 374; also lying westerly of and abutting the west line of the east-west public alley (18 feet wide) first south of Fenkell Avenue between Patton and Fielding Avenues; also lying westerly of and abutting the west line of Lots 365 through 373; also lying easterly of and abutting the east line of Lot 316; also lying easterly of and abutting the east line of the east-west public alley (18 feet wide) first south Fenkell Avenue between Braile and Patton Avenues; also lying easterly of and abutting the east line of Lots 307 through 315 of "B. E. Taylor's Brightmoor Subdivision No. 1 lying South of Grand River Avenue, being a part of the Northeast Quarter of Section 22, Town 1 South, Range 10 East, Redford Township," City of Detroit, Wayne County, Michigan as recorded in Liber 44 of Plats, Page 21, Wayne County Records; also

A westerly part of the east-west public alley, 18 feet wide, first south of Fenkell Avenue between Patton and Fielding Avenues lying southerly of and abutting the south line of Lots 374 through 378; also lying northerly of and abutting the north line of Lot 373 of "B. E. Taylor's Brightmoor Subdivision No. 1 lying South of Grand River Avenue, being a part of the Northeast Quarter of Section 22, Town 1 South, Range 10 East, Redford

Township," City of Detroit, Wayne County, Michigan as recorded in Liber 44 of Plats, Page 21, Wayne County Records; also

All of the east-west public alley, 18 feet wide, first south Fenkell Avenue between Braile and Patton Avenues lying southerly of and abutting the south line of Lots 316 through 327; also lying northerly of and abutting the north line of Lot 328; also lying northerly of and abutting the north line of the north-south public alley (16 feet wide) in the block bounded by Braile and Patton Avenues, West Outer Drive, and Fenkell Avenue; also lying northerly of and abutting the north line of Lot 315 of "B. E. Taylor's Brightmoor Subdivision No. 1 lying South of Grand River Avenue, being a part of the Northeast Quarter of Section 22, Town 1 South, Range 10 East, Redford Township," City of Detroit, Wayne County, Michigan as recorded in Liber 44 of Plats, Page 21, Wayne County Records; also

A northerly part of the north-south public alley, 16 feet wide, in the block bounded by Braile and Patton Avenues, West Outer Drive, and Fenkell Avenue lying westerly of and abutting the west line of Lots 307 through 315; also lying easterly of and abutting the east line of Lots 328 through 336 of "B. E. Taylor's Brightmoor Subdivision No. 1 lying South of Grand River Avenue, being a part of the Northeast Quarter of Section 22, Town 1 South, Range 10 East, Redford Township," City of Detroit, Wayne County, Michigan as recorded in Liber 44 of Plats, Page 21, Wayne County Records;

Be and the same are hereby vacated (outright) as parts of public (street and alleys) rights-of-way to become part and parcel of the abutting property, subject to the following provisions:

Provided, That before any construction shall be permitted within the vacated (outright) parts of public street and/or alleys, mentioned above, USPS the developer of Detroit-Brightmoor Station, a United States Postal Service site shall submit building plans to the Water and Sewerage Department (DWSD) for review and approval. All costs for plan review associated with the relocation of sewers, water mains and/or other construction that may be required by DWSD (designed to prevent damages and maintain public sewer and water main services to property owners inside and outside the USPS development site) including but not limited to inspection, survey, engineering, and permits shall be paid by USPS and/or their contractors; and further

Provided, That the plans for the water main and sewer relocations shall be prepared by a registered Engineer; and further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by the Detroit

Water and Sewerage Department, and constructed subject to the inspection and approval of the Detroit Water and Sewerage Department; and further

Provided, That the entire cost of the water main and sewer construction, including inspection, survey and engineering shall be paid by the petitioner, "USPS"; and further

Provided, That the petitioner, "USPS", shall deposit with the Detroit Water and Sewerage Department, in advance of engineering, inspection and survey, such amounts as that Department deems necessary to cover the cost of these services; and further

Provided, That the petitioner, "USPS", shall grant the Water and Sewerage Department through the Board of Water Commissioners (for and on behalf of the City of Detroit) satisfactory easements for public water main(s) [and/or sewers, if necessary] across property owned by "USPS". After said easements have been reviewed and accepted by the Board of Water Commissioners (for and on behalf of the City of Detroit), then said grant of water main(s) [and/or sewers, if necessary] easements shall be conveyed by properly executed documents, containing legal descriptions suitable for recording. Additionally, the Water and Sewerage Department shall record said executed documents in the Wayne County Register of Deeds; and further

Provided, That upon satisfactory completion of the water main(s) [and/or sewers, if necessary] construction, the water main(s) [and/or sewers, if necessary] shall be City of Detroit property and become part of the city system(s); and be it further

Resolved, It is the "intent" of City Council to accept USPS owned deed and connector-roadway for public street purposes, being described as follows: The northerly 6.00 feet of Lots 305 and 338, and all of Lots 306 and 337 of "B. E. Taylor's Brightmoor Subdivision No. 1 lying South of Grand River Avenue, being a part of the Northeast Quarter of Section 22, Town 1 South, Range 10 East, Redford Township," City of Detroit, Wayne County, Michigan as recorded in liber 44 of Plats, Page 21, Wayne County Records; provided said property complies with the requirements of Detroit codes and ordinances, also known as the "Environmental Review Guidelines." [NOTE: The City Council anticipates a separate report and resolution—recommending acceptance of the deed—will be presented by the Detroit—Department of Public Works (its City Engineering Division; in conjunction with the Law Department, if necessary) for further consideration.]; 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 Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

**Finance Department  
Purchasing Division**

July 2, 1998

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contract with the following firms or persons:

0593A—Summer Feeding Program, 1998, from June 15, 1998 thru August 21, 1998. Sun Valley Foods Co., Detroit, MI. Preparation of approximately 589,000 meals @ \$1.409/meal. Sole bid. Estimated cost: \$829,901. Health Dept.

The approval of your Honorable Body with a Waiver of Reconsideration is requested on the foregoing contract.

Respectfully submitted,  
AUDREY P. JACKSON  
Purchasing Director

By Council Member K. Cockrel:

Resolved, That Contract No. 0593A, referred to in the foregoing communication, dated July 2, 1998, be and hereby is approved.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

**Finance Department  
Purchasing Division**

July 2, 1998

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contract with the following firms or persons:

0593B — Summer Feeding Program, 1998, from June 15, 1998 thru August 21, 1998. Jo-Dan Ltd., Inc., Detroit, MI. Delivery of approximately 589,000 meals @ 0.529/meal. Lowest acceptable bid. Estimated cost: \$300,000. Health Dept.

The approval of your Honorable Body with a Waiver of Reconsideration is requested on the foregoing contract.

Respectfully submitted,  
AUDREY P. JACKSON  
Purchasing Director

By Council Member K. Cockrel:

Resolved, That Contract No. 0593B, referred to in the foregoing communication, dated July 2, 1998, be and hereby is approved.

Adopted as follows:

Yeas — Council Members Cleveland,

K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 3) per motions before adjournment.

**Finance Department  
Purchasing Division**

July 25, 1998

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contract with the following firms or persons:

Contract No. 74850—Change Order No. 01 — Increase contract amount for Legal Services: FERC Order No. 888 — July 9, 1997 thru July 9, 2000 — Spiegel & McDiarmid, Washington, D.C.— Increase of \$167,000. Not to exceed \$175,000—Law Dept.

The approval of your Honorable Body with a Waiver of Reconsideration is requested on the foregoing contract.

Respectfully submitted,  
AUDREY P. JACKSON  
Purchasing Director

By Council Member K. Cockrel:

Resolved, That Contract No. 74850, referred to in the foregoing communication, dated June 25, 1998, be and hereby is approved.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 4) per motions before adjournment.

**Finance Department  
Purchasing Division**

June 25, 1998

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contract with the following firms or persons:

Contract No. 75501—Change Order No. 01 — 100% City Funding — Increase contract amount for Legal Services: FERC Order No. 888 — December 18, 1997 thru December 18, 2000 — Dickinson Wright PLLC, Detroit, MI. Increase of \$136,000. Not to exceed \$211,000—Law Dept.

The approval of your Honorable Body with a Waiver of Reconsideration is requested on the foregoing contract.

Respectfully submitted,  
AUDREY P. JACKSON  
Purchasing Director

By Council Member K. Cockrel:

Resolved, That Contract No. 75501, referred to in the foregoing communication, dated June 25, 1998, be and hereby is approved.

Adopted as follows:

Yeas — Council Members Cleveland,