

CITY COUNCIL

(ADJOURNED SESSION)

(All Action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.)

Detroit, Thursday, June 8, 2000

Pursuant to adjournment, the City Council met at 11:30 A.M., and was called to order by the President Pro Tem. Maryann Mahaffey.

Present — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, III, Scott, Tinsley-Talabi, and President Pro Tem. Mahaffey — 8.

There being a quorum present, the City Council was declared to be in session.

Department of Public Works City Engineering Division

June 7, 2000

Honorable City Council:

Re: Petition No. 3713 — General Motors Corporation/Riverfront Holdings, Inc., dedication of land for the widening of Franklin Street between St. Antoine and Rivard.

Petition No. 3713 of "General Motors Corporation/Riverfront Holdings, Inc.", request City Council approval for the dedication of private land for the widening of Franklin Street, 50 feet wide, to 81 feet wide on the south side between St. Antoine and Rivard.

The City Engineering Division — DPW/Street Design Bureau and the Traffic Engineering Division of DPW approved the request. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

City Council is requested to accept the deed and street widening for public purposes; provided said property complies with the requirements of Detroit codes and Ordinance No. 29-94, Detroit Code Sections 2-2-11 through 2-2-15 also known as the 'Environmental Review Guidelines,' and provided Qwest Communications Corporation revise its previous Telecommunications Permit Agreement made December 28, 1999 by and between Qwest Communications Corporation and the City of Detroit to include the dedication area as one of the public ways which Qwest may occupy to operate a Telecommunications system under the terms of such agreement.

All other city departments and privately owned utility companies have no objections to the requested change in public rights-of-way.

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

Respectfully submitted,
SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW

By Council Member Everett:

Whereas, Petition No. 3713 of Riverfront Holdings, Inc. requests that the City of Detroit accept Petitioners dedication of the property described in Exhibit A attached hereto as an addition to the public right-of-way known as Franklin Street between the easterly boundary of St. Antoine Street and the westerly boundary of Rivard Street (the Dedication Area) for the purpose of widening the pavement area for vehicular traffic and providing sidewalks for pedestrian traffic; and

Whereas, This Honorable Council believes acceptance of such dedication to be in the public interest;

Therefore, Be It Resolved that this Honorable Council hereby authorizes acceptance of dedication of the Dedication Area as a public right-of-way under the following conditions:

Provided, That conveyance of the Dedication Area to the City be made by Deed with warranty against Grantors acts free and clear of any claim of easement by Qwest Communications Corporation and that petitioner provide to the City a policy of title insurance, acceptable to the Law Department, insuring title to the Dedication Area as vested in the City in an amount of not less than Seven Hundred Thousand Dollars (\$700,000.00);

Provided, That the City of Detroit Cable Communications Commission agree, pursuant to a request from Qwest Communications Corporation, to approve revision of Exhibit A to that certain Telecommunications Permit Agreement made December 28, 1999 by and between Qwest Communications Corporation and the City of Detroit (the "Agreement") to include the Dedication Area as one of the Public Ways that Qwest may occupy to operate a telecommunications system under the terms of such Agreement; and

Provided, That the Cable Communications Commission provide to the Law Department written approval of the revision to Exhibit A to include the Dedication Area within the definition of Public Ways as provided for in Section 1.A (1)(a) of the Agreement; and

Provided, That all taxes with respect to property of which the Dedication Area is a part shall be paid and proof thereof furnished to the Law Department; and

Provided, That proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-2-11 through 2-2-15 also known as the Environmental Review Guidelines, is furnished to the Law Department; and

Provided, That funds and/or a bond or other assurance acceptable to City Engineering Division to pay all expenses for improvements to be made to the Dedication Area be deposited with or provided to the City Engineering Division.

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

EXHIBIT "A"

City of Detroit

Proposed Franklin Street Dedication "Y":

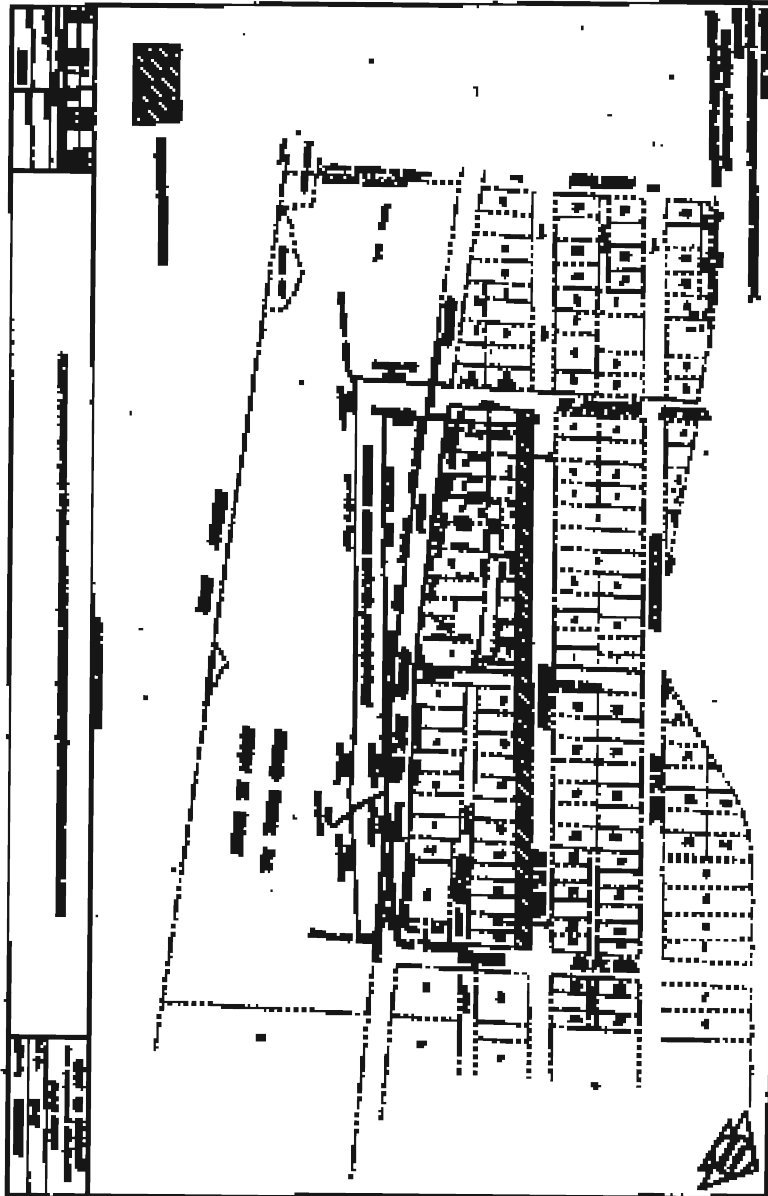
Part of Lots 1 through 4, both inclusive, of "Plat of Antoine Beaubien's Farm 1846", as recorded in Liber 27 of Deeds, Page 197, Wayne County Records, ALSO part of Lots 1 through 7, both inclusive, of "Plat of the Subdivision of the C. Moran Farm", as recorded in Liber 1 on Page 254, of Plats, Wayne County Records, ALSO part of Lots 8 through 14, both inclusive, of "Subdivision of L. Moran Farm", as recorded in Liber 8 on Page 173, Wayne County Records, ALSO part of Lots 37 through 42, both inclusive, of "Part of the Rivard Farm", as recorded in Liber 6 on Page 52 of Plats, Wayne County Records, ALSO part of vacated Schweitzer Place (50 feet wide) between Franklin Street (50 feet wide) and Atwater Street (50 feet wide); more particularly described as: Commencing at the intersection of the Southerly line of Jefferson Avenue and the Westerly line of St. Antoine Street (50 feet wide); thence along the said Westerly line of St. Antoine Street, South 26 degrees 05 minutes 38 seconds East, 372.50 feet to a point on the extension of the Southerly line of said Franklin Street; thence along the said Southerly line of Franklin Street and extension thereof, North 59 degrees 51 minutes 15 seconds East, 81.21 feet to the point of beginning; thence along the said Southerly line of Franklin Street, North 59 degrees 51 minutes 19 seconds East, 1192.40 feet to a point on the West line of Rivard Street (50 feet wide); thence

along the said West line of Rivard Street South 26 degrees 17 minutes 33 seconds East, 31.07 feet; thence South 59 degrees 51 minutes 15 Seconds West, 599.20 feet to a point on the Easterly line of vacated Schweitzer Place (50 feet wide); thence South 59 degrees 47 minutes 12 seconds West, 50.12 feet to a point on the Westerly line of said vacated Schweitzer Place; thence South 59 degrees 50 minutes 32 seconds West, 543.21 feet; thence North 25 degrees 05 minutes 38 seconds West, 31.26 feet to the point of beginning.

Proposed St. Antoine Street Dedication 31 feet wide "XY":

Part of Lot 4, Plat of Antoine Beaubien's Farm 1846, as recorded in Liber 27 of Deeds, on Page 197, Wayne County Records, more particularly described as: Commencing at the intersection of the Southerly line of Jefferson Avenue and the Westerly line of St. Antoine Street (50 feet wide); thence along the said Westerly line of St. Antoine Street, South 26 degrees 05 minutes 38 seconds East, 372.50 feet to a point on the extension of the Southerly line of Franklin Street (50 feet wide); thence along the said extension of Franklin Street, North 59 degrees 51 minutes 19 seconds East, 50.13 feet to the intersection of the said Southerly line of Franklin Street and the Easterly line of said St. Antoine Street., also being the point of beginning; thence along the said Southerly line of Franklin Street, North 59 degrees 51 minutes 19 seconds East, 31.08 feet; thence South 26 degrees 05 minutes 38 seconds East, 31.26 feet; thence South 59 degrees 50 minutes 32 seconds West, 31.08 feet to a point on the said Easterly line of St. Antoine Street; thence along the said Easterly line of St. Antoine Street, North 26 degrees 05 minutes 38 seconds West, 31.27 feet to the point of beginning.

Part of Tax Item No. 000018-21, Ward 05, for 1998, 000018-33, Ward 05, for 1999.



Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Scott, Tinsley-Talabi, and President Pro Tem. Mahaffey — 8.

Nays — None.

**RESOLUTION TO STOP THE
EXECUTION OF GARY GRAHAM
(SHAKA SANKOFA)**

By COUNCIL PRESIDENT PRO TEM.
MAHAFFEY, Joined by ALL COUNCIL
MEMBERS:

WHEREAS, Gary Graham, known as Shaka Sankofa, is on death row in Texas and scheduled to be executed on June 22, 2000 and

WHEREAS, Sankofa, an African-American male, was convicted in 1981 at the age of 17 for murder on the testimony of only one dubious witness. There was no ballistics or fingerprint evidence pre-

sented in the case and seven other eye-witnesses did not identify Sankofa, and

WHEREAS, Sankofa's original attorney, believing him guilty, conducted no pre-trial investigation. Much new evidence was later uncovered pointing to Sankofa's innocence, including four witnesses who passed polygraph tests stating that Sankofa was with them miles from the crime scene, and

WHEREAS, Texas law forbade the introduction of new evidence in his case. Federal courts have denied his appeal based on the 1996 "Effective Death Penalty Act" and

WHEREAS, The widow of the slain man has called for clemency along with the Pope and notables like Reverend Jesse Jackson, Danny Glover and Ed Asner, and

WHEREAS, Governor George W. Bush of Texas has presided over 128 execu-